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# Third Committee

**Summary record of the 32nd meeting**
Held at Headquarters, New York, on Thursday, 26 October 2017, at 10 a.m.

*Chair*: Mr. Gunnarsson ..... (Iceland)

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*The meeting was called to order at 10.05 a.m.*

**Agenda item 72: Promotion and protection of human rights** (A/72/40) and (A/C.3/72/9) (*continued*)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/72/127, A/72/128, A/72/131, A/72/132, A/72/133, A/72/135, A/72/137, A/72/139, A/72/140, A/72/153, A/72/155, A/72/162, A/72/163, A/72/164, A/72/165, A/72/170, A/72/171, A/72/172, A/72/173, A/72/187, A/72/188, A/72/201, A/72/202, A/72/219, A/72/230, A/72/256, A/72/260, A/72/277, A/72/280, A/72/284, A/72/289, A/72/290, A/72/316, A/72/335, A/72/350, A/72/351, A/72/365, A/72/370, A/72/381, A/72/495, A/72/496, A/72/502, A/72/518, A/72/523 and A/72/540)

**(c) Human rights situations and reports of special rapporteurs and representatives** (*continued*) (A/72/279, A/72/281, A/72/322, A/72/322/Corr.1, A/72/382, A/72/394, A/72/493, A/72/498, A/72/556, A/72/580-S/2017/798, A/72/581-S/2017/799, A/72/582-S/2017/800, A/72/583-S/2017/816, A/72/584-S/2017/817, A/72/585-S/2017/818, A/72/586-S/2017/819, A/72/587-S/2017/852 and A/72/588-S/2017/873; A/C.3/72/11, A/C.3/72/14 and A/C.3/72/16)

1. **Mr. Ojea Quintana** (Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea), introducing his report (A/72/394), said that, since his appointment, he had focused on two key aims: the pursuit of accountability for human rights violations, and engagement with the Democratic People's Republic of Korea to promote positive changes on the ground. Over the past year, he had conducted field missions to Cambodia, the Holy See, Japan and the Republic of Korea, which had helped him to collect, evaluate and cross-check data on the situation in the Democratic People's Republic of Korea and put together a picture of recent developments. The Democratic People's Republic of Korea continued to reject his mandate and had refused his requests for a country visit.

2. The period under review had been marked by critical developments in the political and security situation. The international community had witnessed a heightening of tensions in the Korean peninsula and the wider region that was unprecedented in recent history. Between January and September 2017, the Democratic People's Republic of Korea had fired 19 ballistic missiles, which had resulted in the adoption of three Security Council resolutions, the most recent being in September 2017. Those resolutions had strengthened sanctions against the Democratic People's Republic of Korea and had been followed by unilateral measures from a number of countries. However, the pursuit of denuclearization should not be at the risk of a nuclear war. Furthermore, history had shown that sanctions could have a devastating impact on the civilian population. He was concerned that the sanctions could adversely affect vital economic sectors, and as a result, the enjoyment of human rights. A comprehensive assessment of the sanctions regime was needed to ensure that it did not have an unintended negative impact on human rights and impose a collective punishment on the ordinary citizens of the Democratic People's Republic of Korea.

3. Although the policy of isolation pursued by the international community would not help improve the human rights situation, the Government of the Democratic People's Republic of Korea bore the ultimate responsibility for protecting and promoting human rights in the country. Regrettably, there were still patterns of grave violations. For instance, the separation of Korean families continued to take new forms and affect new categories of people. A recent wave of forced repatriations of citizens of the Democratic People's Republic of Korea by China, which might constitute refoulement, had further scattered families and increased the number of undocumented children born to Chinese fathers and Korean mothers. Strained political relations with the Republic of Korea continued to hamper the reunion of families that had been separated since the Korean War.

4. In December 2016, the Democratic People's Republic of Korea had ratified the Convention on the Rights of Persons with Disabilities, and in May 2017 the Special Rapporteur on the rights of persons with disabilities had carried out an official visit to the country. As part of his incremental, multi-stakeholder strategy, he would continue to seek a broadening of engagement with international human rights mechanisms. The United Nations system should continue to offer the Government all necessary guidance and technical advice for implementing the recommendations made under the universal periodic review and other human rights mechanisms. Many non-governmental organizations had been working with the authorities to design and implement technical assistance projects. He was convinced that it would be possible to broaden the dialogue with the Democratic People's Republic of Korea to ensure the enjoyment of all rights and freedoms and also to promote

accountability for human rights violations, which would serve to deter future violations and reinforce the pursuit of justice for all victims. Implementing the recommendations of the group of independent experts on accountability had begun and he would continue to follow developments closely, in particular with regard to appointing an international criminal law expert and setting up an information repository on serious human rights violations.

5. Lastly, and in the spirit of the resolution establishing his mandate, the approach to progress on human rights should be constructive. Therefore, human rights must remain at the centre of engagement with the Government of the Democratic People's Republic of Korea, even in the midst of a geopolitical crisis. Although his message of constructive engagement might not be welcomed in the current climate of isolation and pressure, it was his duty to remind the international community that behind the Government of the Democratic People's Republic of Korea were ordinary citizens, who needed human rights protection more than ever.

6. While the Democratic People's Republic of Korea might reject his mandate, his offer of help still stood. The Government of that country was responsible for protecting and promoting the human rights of its people, and he was entirely committed to his mandate to contribute to the fulfilment of that obligation.

7. **Mr. Bayley Angeleri** (Bolivarian Republic of Venezuela), speaking on behalf of the Movement of Non-Aligned Countries, said that at their seventeenth summit meeting, the heads of State and Government of the Movement had reaffirmed that human rights issues should be addressed in a fair and equal manner, through a constructive, non-confrontational, non-selective and non-politicized approach based on dialogue with objectivity and respect for national sovereignty and territorial integrity. They had also stressed that the Human Rights Council was the United Nations body responsible for the consideration of human rights situations in all countries on the basis of cooperation and constructive dialogue in the context of the universal periodic review process. They had expressed their deep concern at the continued and proliferating practice of the selective adoption of country-specific resolutions in the Third Committee, which was a means of exploiting human rights for political purposes and, as such, breached the principles of universality, impartiality, objectivity and non-selectivity.

8. **Mr. García Moritán** (Argentina) asked how the international community could follow up effectively on the conclusions and recommendations set out in the report of the commission of inquiry on human rights in the Democratic People's Republic of Korea (A/HRC/25/63) and the report of the group of independent experts on accountability (A/HRC/34/66/Add.1), in line with General Assembly resolution 71/202 and Human Rights Council resolution 34/24, respectively.

9. **Mr. Koehler** (Germany) said that Germany firmly supported the human rights mechanisms working on the human rights situation in the Democratic People's Republic of Korea and the related question of accountability, especially the Seoul office of the Office of the United Nations High Commissioner for Human Rights (OHCHR). The human rights situation remained deplorable, and the Government of the Democratic People's Republic of Korea should engage meaningfully with the international community on improving the living conditions of its people and take concrete steps to put an immediate end to torture and other flagrant human rights violations. He wondered what the United Nations, its Member States and non-governmental organizations could do to raise awareness of the employment conditions of guest workers from the Democratic People's Republic of Korea. While other issues relating to the Democratic People's Republic of Korea were taking the spotlight, it was important to recall the day-to-day consequences of the regime's behaviour towards its own population. Tens of thousands of people were incarcerated in prison camps, often without a trial. The use of torture was widespread and systematic, while whole generations had grown up in a climate of fear with a totalitarian Government, leaving no space for individual freedoms.

10. **Mr. Forax** (Observer for the European Union) said that it was encouraging that the Democratic People's Republic of Korea had allowed the Special Rapporteur on the rights of persons with disabilities to visit in 2017. Yet visits from other mandate holders continued to be blocked, which hampered efforts to gather information and provide the world with a more accurate picture of the human rights situation and the individuals and institutions responsible for violations.

11. He would be interested in hearing more about the opportunities for redress and remedy for certain violations, as mentioned in the report, and about the practical measures that should be taken to promote accountability, perhaps with a focus on independent evidence-gathering.

12. **Mr. Hahn** Choonghee (Republic of Korea) said that his delegation remained concerned by the ongoing pattern of serious human rights violations in the Democratic People's Republic of Korea. In particular, members of separated Korean families had been denied

any possibility of seeing their loved ones for over 70 years, during which time many had passed away. North Korea should respond to their desperate pleas to resume family reunions. His country also remained concerned about the safety of South Koreans and other foreign nationals detained in the Democratic People's Republic of Korea; they should be released immediately, provided with medical care and consular assistance, and allowed to communicate with their families.

13. He welcomed the cooperation of the Democratic People's Republic of Korea with several human rights treaty bodies and the visit of the Special Rapporteur on the rights of persons with disabilities and hoped that such cooperation would contribute to protecting the human rights of the North Korean people and implementing the recommendations of the commission of inquiry. The Republic of Korea would continue to work with the international community to ensure that universal human rights values and international norms were observed throughout the Korean peninsula. The Special Rapporteur had mentioned in his report that the Democratic People's Republic of Korea had an opportunity to ensure immediate redress and remedy for certain grave violations through its recent interaction with human rights bodies. He would appreciate information on the concrete options that were available.

14. **Mr. Ustinov** (Russian Federation) said that, although a constructive approach based on cooperation and dialogue might not be to everyone's liking in the context of the Democratic People's Republic of Korea, it was the only way to achieve results. Discussing the human rights situations in individual countries within the Third Committee did not have a positive impact in terms of improving those situations or promoting human rights around the world and led only to confrontation. The human rights situations in individual countries should be examined in the context of the universal periodic review, which provided opportunities for constructive dialogue based on mutual respect.

15. **Mr. Hoshino** (Japan) said that, despite the gravity of the human rights situation, the Government of the Democratic People's Republic of Korea continued to prioritize nuclear and missile development over the welfare of its people. On the basis of the recommendations made by the group of independent experts on accountability, the Special Rapporteur could consider ways and means to hold individuals accountable for human rights violations. Japan looked forward to hearing his vision for strengthening the capacity of the OHCHR office in Seoul, as well as concrete ways to make the best use of that office. The Special Rapporteur could also investigate further the working conditions of overseas workers, including by identifying concrete and specific examples of cases that amounted to forced labour. Finally, he once again drew attention to the abduction from Japanese soil of a number of Japanese citizens, including a 13-year-old girl, by the Democratic People's Republic of Korea.

16. **Mr. Ariturk** (United States of America) said that, regrettably, the Democratic People's Republic of Korea refused to engage constructively with the Special Rapporteur or to respect the basic rights and fundamental freedoms of its people. Patterns of grave violations continued to be observed in the Democratic People's Republic of Korea, and the situation of political prisoners and other detainees was of particular concern, as was the treatment of individuals forcibly returned from China. His delegation appreciated the report's highlighting of the issue of abductions and extrajudicial detention of nationals of the United States and other countries. The United States remained alarmed that detainees were reportedly subjected to practices that clearly contravened international human rights, and was especially concerned about the treatment of women. The gravity and scale of the human rights violations demanded continuing action in the Third Committee and the General Assembly. The report recommended that the United Nations country team should continue to work with the authorities to implement the recommendations made in the context of the universal periodic review. He wondered what steps the United Nations had taken to ensure that those efforts included access to the most vulnerable populations, including political prisoners and abductees.

17. **Ms. Wagner** (Switzerland) said that the recurrence of grave and systematic human rights violations in the Democratic People's Republic of Korea was a matter of deep concern, in particular the situation of detainees and citizens living abroad who had been forcibly repatriated. Her country welcomed the Special Rapporteur's approach and underlined the importance of dialogue with the authorities and prosecution of the perpetrators of violations, which could include referral to the International Criminal Court. Her delegation also welcomed the engagement of the Democratic People's Republic of Korea with United Nations human rights mechanisms. However, it deplored the persistent rejection of the Special Rapporteur's mandate and called on the Government of the Democratic People's Republic of Korea to cooperate with the Special Rapporteur and all other United Nations mechanisms.

18. She wondered whether the Special Rapporteur could provide more information regarding his recommendation that the international community should support confidence and peace-building initiatives with the Democratic People's Republic of

Korea. She would also like to know what approach he would take to establish capacity-building programmes in the Democratic People's Republic of Korea in order to implement the recommendations made during the universal periodic review process and by other United Nations human rights mechanisms.

19. **Mr. Kelly** (Ireland) said that his Government condemned the persistent, systematic and widespread violations of human rights in the Democratic People's Republic of Korea. There was a pressing need to ensure accountability for such violations, which included alleged crimes against humanity, and Ireland was firmly of the view that the Security Council should refer the situation to the International Criminal Court.

20. It was important to establish channels of dialogue with the Government of the Democratic People's Republic of Korea. Notwithstanding the recent and worrying deterioration in the security situation, Ireland had repeatedly emphasized the useful role that dialogue could play on the Korean peninsula.

21. His Government welcomed the Special Rapporteur's recommendation that the United Nations should conduct a full assessment of the impact of the Security Council sanctions regime. He wondered how the international community could provide adequate support to ensure that sanctions did not have a negative impact on the livelihoods of ordinary people.

22. **Mr. Torbergsen** (Norway) said that his delegation was gravely concerned by the ongoing, systematic and widespread human rights violations in the Democratic People's Republic of Korea. Noting the ratification of the Convention on the Rights of Persons with Disabilities and the visit of the Special Rapporteur on the rights of persons with disabilities, he said that Norway supported the call on the authorities of the Democratic People's Republic of Korea to ratify core human rights treaties and to extend invitations to other mandate holders. Norway was also concerned by the possibility that the Security Council's sanctions might have a detrimental impact on sectors that were vital for the enjoyment of human rights and the humanitarian needs of sectors of the population. He would like to ask the Special Rapporteur to elaborate on how that might be assessed.

23. **Mr. Castillo Santana** (Cuba) said that his delegation was not in favour of country-specific mandates that were not supported by the country concerned, as they were selective, discriminatory and politically motivated. The emphasis on punishment and sanctions did not help to improve the human rights situation; on the contrary, sanctions undermined the human rights of the population of the Democratic People's Republic of Korea. Cuba would not support punitive sanctions. His country was in favour of exploring all possible avenues for deepening a constructive and respectful dialogue with the Democratic People's Republic of Korea.

24. **Ms. Jones** (United Kingdom) said that the human rights situation in North Korea was horrifying, and the many factual reports of systematic human rights violations could not be ignored. During the reporting period, the impact had extended beyond the country's borders with tragic effect. Kim Jong Un could have chosen to build a society based on respect for human dignity and human rights, but he had instead given greater priority to weapons than to human life. The United Kingdom repeated its call for the North Korean regime to abandon irreversibly its illegal nuclear and ballistic weapons programmes and end the systemic human rights violations.

25. The report repeatedly noted the lack of access to independent information on the human rights situation. The Democratic People's Republic of Korea must allow the Special Rapporteur immediate and unhindered access to the country to assess the human rights situation there. She would like to know how the Government of the Democratic People's Republic of Korea could be held accountable and how access to independent information could be gained.

26. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the practice of considering country-specific situations in the Third Committee was counterproductive. Exploitation of that platform for political ends was in breach of the Charter of the United Nations and contrary to the principles of universality, non-selectivity and objectivity in addressing human rights issues. Moreover, it undermined cooperation and dialogue as the essential principles for promoting and protecting all universally recognized human rights. His delegation was also seriously concerned about the impact of sanctions on the rights of civilians in the Democratic People's Republic of Korea. The universal periodic review was the appropriate mechanism for reviewing the human rights situation in all Member States on an equal basis without discrimination and with full participation by the Governments concerned.

27. **Ms. Rasheed** (Maldives) said that her Government remained deeply concerned by the gross and systemic human rights violations in the Democratic People's Republic of Korea. While that country's engagement with the Special Rapporteur on the rights of persons with disabilities was positive, much remained to be done to ensure that the people could exercise their fundamental human rights. The Maldives therefore

urged the Government of the Democratic People's Republic of Korea to cooperate with the United Nations and its mechanisms, including the Special Rapporteur, as a first step.

28. The Government of the Democratic People's Republic of Korea should utilize its resources for the economic and social advancement of its people instead of stockpiling weapons of mass destruction. The Maldives was gravely concerned by the recent nuclear and ballistic missile tests conducted by the Democratic People's Republic of Korea in clear violation of Security Council resolutions. Her Government encouraged all Member States to assist the Special Rapporteur in fulfilling his mandate and to work together to find an enduring solution to the prolonged suffering of the people of the Democratic People's Republic of Korea.

29. **Ms. Morton** (Australia) said that Australia remained deeply concerned about reports of gross and systematic human rights violations by the North Korean regime. Human rights must remain at the centre of engagement, and it was extremely worrying that North Korea continued to give priority to nuclear weapon and ballistic missile development rather than to the welfare of its people. North Korea must be held to account for human rights violations. It was important to move forward on implementing the recommendations of the commission of inquiry on human rights in the Democratic People's Republic of Korea, and she welcomed the Secretary-General's advocacy and support in that regard. Abuses must be recorded systematically in order to build on the reporting of the commission of inquiry.

30. In addition, Australia remained deeply concerned that North Koreans were reportedly working abroad under conditions that amounted to forced labour. Security Council resolution 2375 (2017) prohibited Member States from issuing any new work authorizations for North Korean labour. In cases where there had been no significant improvement or the situation continued to deteriorate, accountability and referral to the international courts became more pressing. She wondered what options were available for moving towards consideration by the International Criminal Court.

31. **Mr. Qassem Agha** (Syrian Arab Republic) said that his delegation rejected the selective exploitation of human rights issues as a way of interfering in the internal affairs of States on humanitarian pretexts. The Special Rapporteur had overstepped his mandate and violated the sovereignty of the Democratic People's Republic of Korea. He wondered why the Special Rapporteur had not discussed the adverse effects of sanctions on the people of that country. Non-politicized and direct dialogue among Member States was the only approach that would yield positive results.

32. **Mr. Dvořák** (Czechia) said that his Government fully supported the Secretary-General's call for the Democratic People's Republic of Korea to engage constructively with the United Nations system. He would like to know which initiatives should be explored further to promote cooperation between the Government of the Democratic People's Republic of Korea, the OHCHR office in Seoul and the Special Rapporteur.

33. **Ms. Bellout** (Algeria) said that her delegation remained concerned about the increasing number of country-specific reports being presented in the Third Committee. The universal periodic review was still the most appropriate forum for considering human rights. The establishment of the Human Rights Council should have put an end to politicization and selectivity in the examination of human rights and should have made it possible to denounce any violations committed.

34. **Mr. Thinkeomeuangneua** (Lao People's Democratic Republic), reiterating that a country-specific human rights resolution would not help to address human rights issues, said that his delegation firmly believed that the universal periodic review was the only appropriate mechanism for discussing and examining the human rights situation in any country and should serve as the basis for constructive dialogue. He called on the international community to engage positively with the Democratic People's Republic of Korea and encouraged the latter to continue its cooperation with the human rights mechanism.

35. **Mr. Ojea Quintana** (Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea) said that the dialogue at the present meeting could only be partial, since no representatives of the Democratic People's Republic of Korea were present. That situation was a reflection of the challenges he faced as Special Rapporteur in terms of gaining access to up-to-date and credible information on the current human rights situation.

36. Accountability was a key element of the mandate he had received from the commission of inquiry of 2014 and from his predecessor, and it encompassed both criminal and other forms of accountability. It had been recommended in the past that the Security Council should refer the case of the Democratic People's Republic of Korea to the International Criminal Court. However, the Security Council had not responded to that recommendation, although it had made the fullest possible use of the sanctions regime. No progress had

been made regarding the recommendation, and discussions should therefore continue. OHCHR was gathering information on human rights violations, which must be completely independent, impartial and credible. Any information presented to a criminal court would be challenged by the defendants, and must therefore be prepared with great care.

37. He had held meetings over the past week with various authorities in New York on the subject of the adverse impact of Security Council sanctions. He recommended that the Panel of Experts on the Democratic People's Republic of Korea, responsible for verifying the implementation of sanctions, should extend its technical capacity to evaluate any possible negative impact. While the Security Council was legitimately concerned that the Democratic People's Republic of Korea was using its financial resources to develop nuclear and missile technology, his mandate was focused on other issues.

38. The detention of foreign nationals in the Democratic People's Republic of Korea was a matter of considerable importance. He had been in talks with delegations that had diplomatic representation in Pyongyang, and had requested their assistance in enabling those detainees to exercise their right to contact family members and consular officials. However, much remained to be done, and he called upon the delegations to facilitate those efforts.

39. The issue of workers sent overseas by the Democratic People's Republic of Korea had been included in his previous report and presented many challenges. Receiving countries were responsible for ensuring that the work did not constitute forced labour. Within the Democratic People's Republic of Korea, the possibility to leave and work abroad was often seen in a positive light.

40. Other approaches to those issues could be considered. It was difficult to gain access to North Asia and obtain information on the subject of human trafficking. Perhaps a regional forum on human trafficking that included the Democratic People's Republic of Korea could be established. A non-confrontational approach of that kind might make it possible to conduct investigations and formulate recommendations with the support of organizations such as the United Nations, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross.

41. Some countries called for constructive dialogue, and others for upholding human rights. If delegations were proposing that the universal periodic review was the right mechanism to deal with human rights issues, then they should also indicate how to ensure that the recommendations made during the review process were implemented, since there was no evidence to suggest that it was happening. He hoped to be able to report in 2018 that further progress had been made in relation to the engagement of the Government of the Democratic People's Republic of Korea with various human rights mechanisms.

42. **Ms. Keetharuth** (Special Rapporteur on the situation of human rights in Eritrea), introducing her report (A/HRC/35/39), said she had been informed that the Eritrean authorities carried out extrajudicial executions of unarmed Eritreans attempting to cross the border. That practice was carried out with impunity, and no explanations or investigations had been provided. While the Eritrean authorities had vehemently disputed that a shoot-to-kill policy existed at the border, documented cases showed that several people, including children, had been killed while attempting to cross.

43. She had also received reports of arrests and detentions in the capital city of Asmara. Detainees were not told why they had been arrested and were not taken before a court of law to determine the legality of their detention. They had no contact with the outside world, including lawyers and family members. No information was provided about specific cases, and they were given no indication of whether they would be released. One Eritrean freedom fighter had been arrested in 2003 and held for 14 years without being charged and without access to a lawyer or family members. His family had received no information about him through official channels during that time, but had managed to find out informally where he was being held. In summer 2017, prison authorities had visited his family members at home to inform them of his sudden death in detention and to return his body to them.

44. Reports indicated that the Government of Eritrea regularly interfered in the internal affairs of officially recognized religions and did not provide exemption from military service for conscientious objectors. Arrest and detention of individuals for their religious beliefs, including members of both recognized and non-recognized religious denominations, were commonly reported. In August 2017, a mother of four had died in detention in a desert camp after having been arrested three months earlier during raids targeting Evangelical Christians.

45. According to a recent update by the International Organization for Migration, the organization was relocating some 100 persons per day. Most refugees were young people, and 46 per cent of the total were between 18 and 24 years of age. Many of them reported

walking for days to reach their destination. While various countries had adopted measures to reduce the number of Eritrean asylum seekers and refugees, such efforts would only be a temporary respite. No barrier was insurmountable for people fleeing human rights violations.

46. Violations of the right to property were ongoing. The Greek community in Asmara, for example, had been asked to evacuate its building complex, which included the premises of the Honorary Consulate of Greece as well as the offices of the Greek community. That infringement of the right to property in Eritrea should be redressed.

47. Specific areas needed to be addressed in order to achieve progress on human rights in Eritrea. The Government must establish institutions to strengthen the rule of law, and it must conduct a transparent and public assessment of the justice system and the independence of judges, lawyers and prosecutors. Eritrea must demonstrate its respect for human rights through accurate data and must combat institutionalized impunity.

48. **Mr. Giorgio** (Eritrea) said that the mandate of the Special Rapporteur had been defined by countries hostile to Eritrea that were aiming to isolate and demonize the country. Eritrea had always opposed country-specific mandates and the use of the Human Rights Council to further political objectives. Furthermore, the report of the commission of inquiry on human rights in Eritrea (A/HRC/32/47) mentioned by the Special Rapporteur had not been endorsed by the Human Rights Council.

49. Eritrea was determined to safeguard its independence and chart its own development path, yet its achievements had been ignored and its shortcomings exaggerated. The Special Rapporteur had recommended unwarranted measures and had employed methodology that lacked the minimum level of rigour and professionalism. Nevertheless, the Government of Eritrea continued to engage in bilateral and multilateral dialogue on human rights and on pressing regional issues of peace and development and would always welcome constructive engagement.

50. Eritrea was a State party to several core international and regional human rights instruments and had undergone its first and second universal periodic review processes. To expedite implementation of the resulting recommendations, Eritrea had established a universal periodic review coordinating body with members from Government ministries and civil society organizations. In 2016, Eritrea had concluded the Strategic Partnership Cooperation Framework with the United Nations for the period from 2017 to 2021 and had allocated budgetary resources for implementation of the human rights commitments made therein. Those commitments were broad in scope and covered the rights set out in the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

51. The rule of law was promoted through campaigns to raise awareness of the right to due process and new national codes that would be translated into all the languages used in Eritrea. The Government had introduced salary increments for youth on the basis of educational merit, and skills development programmes had been expanded. Eritrea would boost productivity and investment by mobilizing its human and material resources with a view to implementing the Sustainable Development Goals Given the resources needed for such a project, Eritrea invited all Member States to call on Ethiopia to end its occupation of Eritrean territory and its sanctions on the country. Another important pillar of the new development agenda was a political process involving discussions on the country's future system of governance and a new political road map.

52. The mandate of the Special Rapporteur continued mainly at the behest of the delegations of certain States and Ethiopia. Not only was Ethiopia a country with an egregious human rights record, but it continued to occupy Eritrean territory in violation of international law and to advocate the tightening of sanctions on Eritrea.

53. **Mr.** Youssouf Aden **Moussa** (Djibouti) said that the work of the Special Rapporteur was part of the follow-up and implementation of the recommendations of the commission of inquiry on human rights in Eritrea, but the report of the commission had not been presented to the General Assembly at its seventy-first session as originally planned. Since 1991, the Eritrean authorities had, without pity or remorse, destroyed the lives of those that they were supposed to protect and had failed to comply with their obligations under regional and international human rights instruments. The Government of Djibouti was deeply concerned about the 13 Djiboutian prisoners of war who had been held by Eritrea in inhuman and degrading conditions since 2008, and he called for their immediate release.

54. **Mr. Ariturk** (United States of America) said that, although it was encouraging that Eritrea had been engaging with the international community, serious concerns remained. The United States called on the Government of Eritrea to comply with its constitution, develop an independent judiciary, improve detention conditions and release arbitrarily detained individuals.

The United States was also concerned that Eritreans continued to be detained for their religious beliefs, and that they were subject to compulsory national service for periods of indefinite duration.

55. **Mr. Kent** (United Kingdom) said that the Government of Eritrea should set clearly defined time limits and fair financial compensation for Eritreans engaged in national service. The Government should implement the constitution, respect religious beliefs and release those who had been arbitrarily detained. In order to stem the tide of Eritrean refugees, action must be taken to tackle human rights violations and the overall lack of economic opportunity. The United Kingdom welcomed the continued cooperation between Eritrea and OHCHR. He asked the Special Rapporteur how the international community could support the United Nations in its work on human rights in Eritrea.

56. **Mr. Yusuf** (Somalia) said that his Government strongly condemned the violations of human rights committed by the Government of Eritrea. Somalia called on Eritrea to take all appropriate measures to implement the recommendations of the commission of inquiry and further urged it to release the 13 Djiboutian prisoners of war detained incommunicado in Eritrean prisons.

57. **Mr. Forax** (Observer for the European Union) said that Eritrea must implement the 1997 constitution, address the issue of national service and undertake immediate and substantial legal and institutional reforms. The European Union welcomed the willingness of the Eritrean Government to grant country access to bilateral and international delegations, but was concerned that the Special Rapporteur and other international and regional human rights mechanisms were repeatedly denied access. He asked the Special Rapporteur to share her plans for the last term of her mandate, and asked how the European Union could contribute to improved cooperation between the Special Rapporteur and the Government of Eritrea.

58. *Ms. Kaszás (Hungary), Vice-Chair, took the Chair.*

59. **Mr. Castillo Santana** (Cuba) said that his delegation reiterated its opposition to country-specific mandates, which all targeted developing countries. Cuba called for cooperation and dialogue and the involvement of African regional and subregional organizations in dealing with issues of concern. The search for effective solutions should include the Eritrean authorities and should take their concerns into account.

60. **Ms. Sandoval** (Nicaragua) said that, regrettably, the Third Committee continued to bend to the will of certain Member States, appointing special rapporteurs on specific developing countries in violation of United Nations principles. Her delegation was very concerned that the report failed to recognize the efforts Eritrea had made for the welfare of its people. The Human Rights Council was the United Nations body mandated to examine human rights matters in every country, through the universal periodic review process.

61. **Mr. Taranda** (Belarus) said that the mandate on Eritrea was counterproductive. The United Nations should continue efforts to establish genuine dialogue with the Government of Eritrea and provide technical support and assistance to the country, including for its efforts to implement the recommendations made in the context of the universal periodic review. The activities of special procedures mandate holders were ineffective and biased. Country-specific mandate holders did not have access to the relevant countries and carried out their work remotely on the basis of secondary data from unreliable sources.

62. **Mr. Torbergsen** (Norway) said that, as a long-standing friend of Eritrea and its people, his Government was strongly committed to helping the Government of Eritrea to improve the human rights situation. Norway had welcomed the recent cooperation between Eritrea and the United Nations regarding the administration of justice and international and regional human rights norms. He asked the Special Rapporteur whether the Government of Eritrea had shown renewed interest in cooperation as part of the follow-up to the universal periodic review. The report of the Special Rapporteur had referred to an event at which the participants had explored the role that a regional mechanism might play, and his delegation was interested in hearing about the outcome of those discussions.

63. **Mr. Kelly** (Ireland) said that his Government called on Eritrea to cooperate fully with the Special Rapporteur and other human rights mechanisms by allowing access to the country and, specifically, to places of detention. Cooperation and engagement with the international community was essential, and the access granted to visiting international delegations and representatives of OHCHR was a positive step. Noting that the Special Rapporteur had mentioned that the universal periodic review recommendations provided a framework for addressing the human rights situation in Eritrea, he asked her to share her views on the role of capacity-building cooperation in that regard.

64. **Ms. Přikrylová** (Czechia) said that, without genuine elections and political pluralism, it was impossible to promote democracy and human rights at the national level. Eritrea had not had national elections in 20 years, and there was only one political party. She

asked the Special Rapporteur how the international community could help Eritrea transition to a pluralistic State with democratically-elected representatives, and whether dialogue with the Eritrean Government was possible in that regard.

65. **Ms. Lendemann** (Switzerland) said that her Government called on Eritrea to cooperate with all human rights mechanisms, including the special procedures, and to continue its engagement to ensure implementation of the recommendations made in the context of the universal periodic review. Switzerland also encouraged Eritrea to strengthen its cooperation with OHCHR and to consider establishing an office of OHCHR in Eritrea. She asked the Special Rapporteur to share her priorities for her mandate and asked how the international community could support her.

66. **Ms. Lu** Xiaoxiao (China) said that the international community should acknowledge the progress made by Eritrea in the promotion and protection of human rights and view the human rights situation in a fair and objective manner. China hoped that countries of the Horn of Africa would bear in mind the overriding need for peace and stability in the region and the fundamental interests of their peoples. They should solve their differences through dialogue and work together towards development.

67. **Ms. Ndayishimiye** (Burundi) said that her delegation reiterated its principled position against country-specific mandates and commissions of inquiry, as they were counterproductive. The universal periodic review was a more constructive mechanism and more likely to lead to tangible results in Eritrea.

68. **Mr. Seth** (India) said that the primary responsibility for the protection and promotion of human rights lay with States. The United Nations should base its relations with Member States on dialogue, not on the imposition of country-specific mandates. Such mandates were counterproductive and led to the politicization of human rights, which violated the objectives of the Charter of the United Nations.

69. **Ms. Rodríguez de Febres Cordero** (Bolivarian Republic of Venezuela) restated her Government's disapproval of the establishment of special procedures without the consent of the Governments concerned and said that the use of human rights for political ends constituted a violation of the principles of the Charter of the United Nations. The progress made on the human rights situation in Eritrea by the Human Rights Council should be deepened, and the universal periodic review was the appropriate mechanism for cooperative examination of human rights issues through constructive and respectful dialogue.

70. **Mr. Waleed** (Pakistan) said that the cooperation of Eritrea with the universal periodic review, treaty bodies and OHCHR reflected the country's commitment to dialogue, and its cooperation with multilateral and bilateral partners on the issue of consolidating human rights showed its commitment to democratic processes. There was a need to promote greater coherence between the work of the Committee and the Human Rights Council and avoid unnecessary duplication, and in that regard, the universal periodic review was the appropriate mechanism for reviewing human rights issues at the international level.

71. *Mr. Gunnarson (Iceland) resumed the Chair.*

72. **Mr. Moussa** (Egypt) said that, at their summit in Sharm el-Sheikh, the heads of State of the Non-Aligned Movement had emphasized that the Human Rights Council should be responsible for considering human rights situations in all countries and had expressed concern over the adoption of country-specific resolutions by the Committee. At the summit held in Venezuela in 2016, the heads of State of the Non-Aligned Movement had noted that such resolutions exploited human rights for political purposes and thus violated the principles of impartiality and non-selectivity. The universal periodic review was the main intergovernmental mechanism for the review of human rights issues.

73. **Mr. Chekeche** (Zimbabwe) said that his delegation had consistently opposed the submission of country-specific reports or resolutions and believed that the Human Rights Council, through the universal periodic review mechanism, was the appropriate forum for dealing with any human rights concerns regarding any Member State. Eritrea had already gone through two cycles of the universal periodic review and had accepted 92 recommendations. Both parties should continue their cooperation on human rights.

74. **Mr. Rahman** (Bangladesh) said that gross violations of human rights should be dealt with forthrightly, following due process of law and with accountability and transparency. To that end, Bangladesh had taken note of the various measures taken by Eritrea to protect and promote the human rights of its citizens.

75. **Ms. Khalvandi** (Islamic Republic of Iran) said that her delegation reiterated its principled position regarding the report presented by the Special Rapporteur. The Committee's consideration of country-specific situations violated the principles of universality, non-selectivity and objectivity, and undermined cooperation and dialogue among Governments. She reiterated her delegation's conviction

that the universal periodic review was the proper venue for reviewing the human rights situations of all Member States equally.

76. **Mr. Ustinov** (Russian Federation) said that consideration of the situation in Eritrea by the United Nations human rights bodies was politicized and did not help to improve the human rights situation in the country. The universal periodic review was the best platform for examining the human rights situations in individual countries in a constructive spirit with the full involvement of the countries concerned. Equal and constructive dialogue based on mutual respect should form the basis of all aspects of the work of the United Nations human rights bodies, rather than the demonization of States and Governments that were disliked by some.

77. **Ms. Keetharuth** (Special Rapporteur on the situation of human rights in Eritrea), responding to questions and comments by delegations, said that engagement by Eritrea in bilateral cooperation with other States had been a positive sign. However, human rights issues should not be swept under the rug at such meetings, but rather should be included within the discussions and follow-up. All States with bilateral relations with Eritrea should bear in mind the centrality of human rights issues.

78. The visit by a representative of OHCHR to Eritrea had also been a sign of progress, but the role of the Office should not be limited to capacity-building. Rather, it should also have a monitoring mandate and be allowed to verify information on human rights issues in the country itself. The subject of religious rights in Eritrea remained a priority for her mandate, and much remained to be done, but Eritrea could move in a positive direction by releasing Father Antonios, the Patriarch of the Orthodox Church, who had been under house arrest for over ten years.

79. The Special Rapporteur turned to the subject of her plans for the final year of her mandate, which would end in 2018. She would ensure that there were more capacity-building programmes for survivors of human rights violations so that they were informed about the various support mechanisms that existed. She also hoped for a more constructive dialogue with Eritrea in the remaining months of the mandate.

80. While a number of delegations had expressed a preference for using the universal periodic review as a human rights mechanism for Eritrea and other countries, she did not think that the various mechanisms were mutually exclusive. More mechanisms were better than fewer, and in that regard, she was glad that the representative of Eritrea had mentioned his country's engagement with the treaty bodies.

81. She wished to highlight the issue of detention. The true number of individuals who had been arbitrarily detained was unknown. Eritrea should look into that matter and should furthermore ensure that the requisite institutional mechanisms were in place so that individuals could have access to justice and benefit from checks and balances. Political participation was a human right.

82. Regarding the report of the commission of inquiry, it was unfortunate that the representative of Eritrea had said that the report had not been endorsed by the Human Rights Council. If that were true, she would not have a mandate to work on its recommendations, but the report had in fact been endorsed.

83. **Mr. Idris** (Eritrea) said that the Human Rights Council had adopted its resolution 32/24 in 2016, in which it had taken note of the report of the commission of inquiry. His delegation noted with regret that Djibouti had attacked Eritrea in many United Nations bodies at the behest of other States. His delegation also reiterated that Eritrea had released all prisoners of war. More importantly, Djibouti had no moral authority to discuss human rights issues in other States given its own record in that regard, which included curtailment of human rights with impunity and the killing of 13 civilians in Balbala during a religious gathering. Human rights standards needed to be raised everywhere, and Eritrea had always been open to engaging in constructive dialogue.

84. **Mr.** Youssouf Aden **Moussa** (Djibouti) said that his country had never been the subject of a human rights commission of inquiry and could not be compared to Eritrea, where systematic violations of human rights, including summary executions, had been occurring since 1991. The Eritrean authorities tortured and terrorized their own people with full impunity. Those with the courage to flee were executed in cold blood in accordance with the shoot-to-kill policy, and their families were subject to reprisals.

85. **Mr. Haraszti** (Special Rapporteur on the situation of human rights in Belarus), introducing his report (A/72/493), said that, after a period described by some partners of Belarus as a détente in relation to critical voices, Belarus had returned in 2017 to mass and violent oppression of those who dared to criticize public policies. The reasons for the cyclical nature of violent crackdowns in Belarus lay in a governance system that was directed entirely by the executive branch.

86. In 2016, Belarus had adopted a so-called human rights action plan, which consisted of a list of 100 pledges relating mostly to enhancing or expanding the services that were already constraining certain areas of civic life. The authorities had nevertheless disregarded the extensive list of recommendations made during the universal periodic review process and by the treaty bodies. The only good news of 2017 was the long overdue registration of the "Tell the Truth" movement, albeit as a social rather than a political movement. The submission by Belarus of its report to the Human Rights Committee after a 16-year delay also served as a measure of the speed of its compliance with treaty obligations.

87. In his report, he had focused on the impact of the concentration of powers in Belarus on the state of human rights. In a country where the Parliament was ineffective and the judiciary was an extended hand of the executive branch, there was no space for guarantees for human rights. With the geopolitical storms in the post-Soviet space, notably in neighbouring Ukraine, the claim that civic activism was a source of danger for the nation had been reinforced by the portrayal in the State media of demands for pluralism and power-sharing as conducive to civil war and loss of State independence.

88. Since the severe crackdown on protestors in 2017, the President had stated that his controversial decree would be redrafted, demonstrating that he could change the legal framework and practices whenever he wished. Paradoxically, the situation of human rights in Belarus might enjoy an initial improvement, thanks to the extremely centralized governance. In that event, a long period of joint development of a human rights framework involving civil society and the political opposition would be needed. The Special Rapporteur reiterated his call for the authorities to engage with his mandate, even in an incremental way, and was ready to assist the Government in moving towards compliance with its United Nations obligations.

89. **Mr. Taranda** (Belarus) said that the work of the Special Rapporteur was the worst example of the harmful practice of the Human Rights Council. The lack of concrete results for Belarus and the enormous expenditure involved were clear illustrations of the flawed nature of the Council's country-specific mandates. Over his six years of work, the Special Rapporteur had not managed to acknowledge any positive changes in Belarus. Meanwhile, international organizations, including the United Nations and its human rights mechanisms, frequently recognized the improvements in the human rights situation in the country, and Belarus was rated highly in international reports and research. The reason for such a contradiction lay in the conflict of interest caused by the Special Rapporteur's constant incentive to portray the situation in the country as threatening in order to maintain his mandate.

90. Belarus was committed to fulfilling its international human rights obligations and was cooperating with a wide range of human rights mechanisms to develop its national human rights policy. It had adopted a national human rights action plan and was up to date with its reporting to human rights treaty bodies. It was fully engaged in an open dialogue with various international partners, including the European Union, the Council of Europe and OHCHR. The best thing that the Special Rapporteur could do for Belarus would be to cease his selective monitoring of the situation in the country and resign before the end of his term.

91. **Ms. Wagner** (Switzerland) said that she welcomed the fact that the Special Rapporteur had been able to visit Minsk to participate in the Parliamentary Assembly of the Organization for Security and Cooperation in Europe (OSCE), but regretted the lack of cooperation of the Government of Belarus with the Special Rapporteur's mandate. She noted the Special Rapporteur's conclusion that the positive changes towards better respect for human rights in Belarus might be only temporary and marginal owing to the current governance system.

92. **Mr. Forax** (Observer for the European Union) said that, despite some positive developments in Belarus, the human rights situation remained a cause of concern. The European Union urged the Belarusian authorities to allow more space for civil society and to eliminate all obstacles to the exercise of a free and independent media. It condemned the application of the death penalty in the country and urged the authorities to introduce a moratorium. He asked how the Government of Belarus could be encouraged to implement the repeated recommendations of various international bodies and to make use of the existing formal aspects of democracy.

93. **Mr. Idris** (Eritrea) said that the human rights of all countries should be assessed in a fair and equal manner, with respect for national sovereignty, and the universal periodic review remained the best platform to enhance cooperation and partnership in the promotion and protection of human rights. Eritrea welcomed the initiatives taken by the Government of Belarus to further improve the human rights of its citizens, including the implementation of the universal periodic review and its growing engagement with OHCHR. The international community should recognize those developments and support the Government in that endeavour.

94. **Ms. Jakubonė** (Lithuania) said that the scale of repression against peaceful protestors in Belarus was a cause of deep concern, and the systematic violations of fundamental freedoms and restrictions on the activities of non-governmental organizations and the opposition clearly demonstrated that the regime was not ready for democratic reforms. She asked how the international community could assist civil society in Belarus in the promotion of human rights.

95. **Mr. Qassem Agha** (Syrian Arab Republic) said that if he were the Secretary-General and received such a report, he would fire the Special Rapporteur because it was politicized and constituted blatant interference in the internal affairs of Belarus. The Special Rapporteur had overstepped his mandate and had insulted the President of Belarus. The Special Rapporteur had no right to impugn the duly elected president of a sovereign State, and should respect democracy in Belarus.

96. **Mr. Shadiev** (Uzbekistan) said that the Special Rapporteur's mandate did not enjoy the unequivocal support of the members of the Human Rights Council. It was unacceptable to replace the universal periodic review with country-specific resolutions that were based on selectivity and undermined the principles of universality and objectivity. The resolution on Belarus was counterproductive and would not help to ensure the continued exercise of human rights. In view of the consistent cooperation of Belarus with the Human Rights Council and other United Nations bodies, that State should not be subject to monitoring or further biased actions on the part of the Council and its special procedures.

97. **Ms. Duda-Plonka** (Poland) said that her country welcomed the ratification by Belarus of the Convention on the Rights of Persons with Disabilities, but was concerned by the human rights situation in the country. The Government of Belarus should stop all ongoing retaliatory procedures initiated in the wake of social protest movements. Poland hoped that the Government would implement all the Special Rapporteur's recommendations. After his unofficial visit to Belarus, the Special Rapporteur had said that, although the Government still did not recognize his mandate, it was encouraging that he had been allowed to attend an international meeting. She asked whether there had been other signals from Minsk that could give hope for future cooperation.

98. **Ms. Miller** (United Kingdom) asked about the Special Rapporteur's impressions of the situation in Belarus when he had visited the country at the invitation of the OSCE Parliamentary Assembly. The United Kingdom reiterated its call for the Belarusian authorities to engage constructively with the Special Rapporteur. While noting the recent increase in engagement on human rights by the Belarusian authorities, it remained concerned by the human rights situation in the country and the fact that Belarus was the only European country that still applied the death penalty. The United Kingdom was working to support the more permissive environment that was developing in Belarus.

99. **Mr.** Omer Dahab Fadl **Mohamed** (Sudan) commended the Belarusian legislation covering various areas of the promotion and protection of human rights, specifically the human rights action plan adopted in 2016 and the standing invitation extended to a number of mandate holders. His country did not agree with the inclusion of country-specific issues in the agenda of the Committee.

100. **Mr. Koehler** (Germany) asked about the potential of the national human rights action plan to improve the situation in Belarus. While recognizing that Belarus had not opposed the participation of the Special Rapporteur as a human rights expert in the OSCE Parliamentary Assembly, Germany called on Belarus to cooperate with him in his capacity as Special Rapporteur. The Government should fully implement the national action plan and allow the registration of other non-governmental organizations and political parties. His country remained concerned by the continuing restrictions on civil society activities and the fact that Belarus was the last remaining country in Europe to administer capital punishment.

101. **Ms. Ndayishimiye** (Burundi) said that her country continued to be concerned by country-specific reports. Dialogue, cooperation and the universal periodic review were the only ways to ensure the promotion and protection of human rights in Belarus and other countries. Burundi was also troubled by the tendency to use the Committee for political aims. It would be better to support the improvements in Belarus.

102. **Mr. Ali** (Pakistan) said that the promotion of human rights was a shared responsibility that could be achieved only through a constructive approach of cooperation and inclusion, rather than politicization and selectivity. The cooperation of the Government of Belarus with the universal periodic review mechanism, treaty bodies and OHCHR reflected its commitment to engage constructively and positively with international mechanisms. The efforts of Belarus to establish a legal and regulatory framework consistent with the relevant international human rights norms was commendable.

103. **Mr. Muhamedjanov** (Tajikistan) said that his delegation noted the commitment of Belarus to fulfilling its international obligations in the promotion and

protection of human rights, including by cooperating constructively with the relevant United Nations treaty bodies and improving its national legislation by taking into account the experience and recommendations of the international community. Solutions to human rights issues should be based on cooperation and dialogue, and should comply with the international legal framework.

104. **Mr. Castillo Santana** (Cuba) said that the Special Rapporteur's mandate was clearly politically motivated and was contrary to the spirit of cooperation and dialogue. The information provided by the Government of Belarus and its cooperation with OHCHR and human rights mechanisms had not been taken into account. The universal periodic review was the only appropriate mechanism for analysing the human rights situations in all countries without selectivity. His country would continue to oppose politicized practices that only polluted the analysis of such an important issue as human rights.

105. **Mr. Ustinov** (Russian Federation) said that the resolution that had established the mandate of the Special Rapporteur was politicized, but the work of the Special Rapporteur had reached an even greater level of politicization. The Special Rapporteur on the situation of human rights in Belarus was a clear example of how special procedures of the Human Rights Council should not function. The Special Rapporteur's report and statement, which had been delivered in a condescending and, at times, mocking manner, lacked basic respect for a sovereign State. Such work discredited the United Nations human rights system and had a negative impact. It was clear that the human rights special procedures mandate holders should be held responsible by the Council for their actions. The mandate of the Special Rapporteur on the situation of human rights in Belarus had no place among the special procedures of the Council.

106. **Mr. Zhemeney** (Kazakhstan) said that the existing human rights challenges in Belarus could be addressed more effectively through the country's engagement with treaty bodies, OHCHR and human rights mechanisms. The latest positive developments in the country, in particular the adoption of the first ever national action plan for the implementation of the recommendations made in the context of the universal periodic review and by the treaty bodies and the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, had significantly strengthened such cooperation. The existing country-specific mandate on Belarus had clearly proved to be ineffective.

107. **Mr. Mikayilli** (Azerbaijan) welcomed the significant progress made by Belarus on a wide range of human rights issues and its engagement with the human rights machinery. The universal periodic review had proved to be a successful intergovernmental mechanism for reviewing the human rights issues in all countries in an equal manner. In that regard, Azerbaijan noted with appreciation the adoption by Belarus of the national human rights action plan on the implementation of recommendations made in the context of the universal periodic review and accepted by Belarus.

108. **Mr. Torbergsen** (Norway) said that his country fully endorsed the conclusions of the report of the Special Rapporteur. He asked what was needed to facilitate the Special Rapporteur's access to Belarus and to organize the meetings necessary to fulfil his mandate. Norway remained concerned about the human rights situation in Belarus and reiterated its call for an immediate moratorium on the death penalty as a first step towards its abolition. The Belarusian authorities should give the Special Rapporteur uninhibited access to relevant interlocutors in the country.

109. **Ms. Rodríguez de Febres Cordero** (Bolivarian Republic of Venezuela) restated her Government's disapproval of the application of special procedures without the consent of the Governments concerned and said that the use of human rights for political ends constituted a violation of the principles of the Charter of the United Nations. The progress made by Belarus and its cooperation with United Nations human rights mechanisms were widely recognized, while its successful participation in the universal periodic review illustrated its commitment to upholding human rights. Cooperation and dialogue were the appropriate means for effectively promoting and protecting human rights.

110. **Mr. Ri** Song Chol (Democratic People's Republic of Korea) said that the freedom to choose and maintain a political, social and economic system that met the needs of the people was the right of sovereign States, including Belarus, and must be fully respected in the consideration of human rights issues. His country was firmly against the politicized attempt to infringe upon national sovereignty under the guise of human rights and with hostile intentions. All politically motivated, confrontational country-specific procedures based on politicization, selectivity, double standards and interference should be terminated once and for all.

111. **Mr. Seth** (India) said that Belarus had demonstrated its willingness to comply with its human rights obligations, was a party to most human rights instruments and regularly submitted national periodic reports to the treaty bodies. The establishment of

country-specific mandates without the approval of the countries concerned was not conducive to dialogue or the resolution of issues, and the use of human rights for political aims constituted a violation of the principles and objectives of the Charter of the United Nations. The universal periodic review was the most appropriate mechanism for promoting human rights.

112. **Mr. Araliyev** (Turkmenistan) said that the situation in Belarus did not require urgent attention from or monitoring by the Human Rights Council. Belarus was a party to most international human rights instruments and regularly submitted periodic reports for consideration by treaty bodies. Turkmenistan welcomed the continued efforts of Belarus in its constructive cooperation with United Nations human rights treaty bodies and agencies, the European Union and the Council of Europe.

113. **Mr. Kelly** (Ireland) said that his delegation shared the Special Rapporteur's concerns regarding the arrests and arbitrary detention of peaceful protestors in February and March 2017 and agreed that civil society actors and human rights defenders had a crucial role to play in ensuring respect for human rights, fundamental freedoms and democratic values. It also shared the concerns about the extremely negative impact of restrictions on the freedoms of expression, the media, association and assembly in Belarus. He asked what key steps needed to be taken by the Government of Belarus to ensure that civil society organizations could operate freely in the country. Ireland supported the Special Rapporteur's call for a moratorium on the death penalty, to be followed by its abolition.

114. **Mr. Thinkeomeuangneua** (Lao People's Democratic Republic) said that country-specific resolutions did not help to address human rights issues, and the universal periodic review was the only appropriate forum for discussion and review of the human rights situation in any country on an equal basis. His delegation called on the international community to continue to engage in positive dialogue with Belarus, and encouraged Belarus to continue to cooperate with human rights mechanisms to fulfil its international obligations.

115. **Ms. Lu** Xiaoxiao (China) said that her country welcomed the progress made by Belarus in promoting and protecting human rights and commended its development of national action plans on human rights, social and economic development and gender equality, its active participation in the review processes of human rights treaty bodies and its ratification of the Convention on the Rights of Persons with Disabilities.

116. Her country always advocated constructive dialogue and cooperation as a way for countries to address their differences in the field of human rights. The Human Rights Council should view a country's human rights situation in a comprehensive, fair and objective manner. China opposed the politicization of human rights issues, the public exertion of pressure and confrontational approaches. As an important part of a country's economic and social development, human rights should be advanced on the basis of national circumstances and the wish of the people.

117. **Ms. Khalvandi** (Islamic Republic of Iran) said that her country reiterated its serious concern at the continued abuse of the platform of the Committee for the consideration of reports emanating from politically motivated mandates. It welcomed the positive human rights developments in Belarus. Human rights mechanisms should devote their resources, time and energy to protecting human rights and to countering the most serious violations and violators. The case against Belarus did not warrant a Special Rapporteur. The universal periodic review mechanism remained the appropriate venue for the consideration of human rights situations on an equal basis with the full participation of the countries concerned, without prejudice or discrimination.

118. **Mr. Přikrylová** (Czechia) asked whether the Special Rapporteur had had an opportunity to talk informally with the Belarusian authorities about human rights during his recent visit to the country and what steps could be taken by the international community to foster the cooperation of States with independent human rights mechanisms.

119. **Mr. Ariturk** (United States of America) said that the human rights situation in Belarus remained a cause of concern, and it was unfortunate that the Government of Belarus continued to refuse to cooperate with or grant country access to the Special Rapporteur. While the registration of the "Tell the Truth" movement was a positive development, the United States was concerned by the blocking of the registration of additional groups and the recent charges filed against the leaders of the radio and electronics trade union. Disappointingly, there had been no movement on the promised electoral law reform in advance of the municipal elections to be held in February 2018. As a result, those elections would not be free and fair. He asked what steps the international community should take to improve access for United Nations human rights mechanisms in Belarus.

120. **Mr. Taranda** (Belarus), speaking on a point of order, stressed that activities carried out by the Special Rapporteur in his official capacity were the only matters

under consideration, and the questions posed relating to the visit made in his individual capacity did not concern the mandate of the Special Rapporteur.

121. **Mr. Haraszti** (Special Rapporteur on the situation of human rights in Belarus) said that, during his visit to Belarus, the Ministry of Foreign Affairs had stated that the Special Rapporteur was a guest of the OSCE Parliamentary Assembly, not of the Government. He had been able to speak to civil society activists and attend a horrifying show trial against a participant in the suppressed demonstrations, but no official meeting had taken place. He had been able to speak to one Deputy Minister at a round table organized by the OSCE Parliamentary Assembly. He nevertheless stressed his appreciation for the tolerance of his presence in the country.

122. The national human rights action plan had entirely disregarded the universal periodic review and the treaty body recommendations relating to civil and political rights, civil society engagement and the necessary decriminalization of explicitly unpermitted public acts of association and assembly and media activities. There had also been no relaxation of the infamous permission-based system of public life, which had hindered civil society in Belarus for the past two decades. With regard to the death penalty, only further study of the question was envisaged, which was clearly not enough.

123. In terms of basic steps to help civil society in its work in a very unrewarding atmosphere, it was most important to resist the very unfortunate trend, not only in Belarus but also internationally, of shaming, blocking and even criminalizing support to civil society from other countries and civil society.

124. His criticism did not target the President as a person, but rather as the head of the executive branch. The President had two kinds of jurisdiction, one granted by the Constitution and one by Parliament, giving him absolute power by decree, which was not conducive to good human rights management.

*The meeting rose at 1 p.m.*